

THIS ISSUE

Interpretive Services
Payment Policy
Effective July 1, 2005

TO:

Ambulatory Surgery Centers,
Audiologists, Chiropractic
Physicians, Clinics, Dentists, Drug
and Alcohol Treatment Centers,
Freestanding Emergency Rooms,
Freestanding Surgery Centers,
Hospitals, Interpretive Services
Providers, IME Exam Groups,
Massage Therapists, Naturopathic
Physicians, Nurses-ARNP,
Occupational Therapists, Opticians,
Optometrists, Osteopathic
Physicians, Pain Clinics, Panel
Exam Groups, Pharmacists,
Physicians, Physician Assistants,
Physical Therapists, Podiatric
Physicians, Prosthetists and
Orthotists, Psychologists,
Radiologists, Self-Insured
Employers, Speech Therapists &
Pathologists, Vocational Counselors

CONTACT: Provider Hotline
1-800-848-0811
From Olympia 902-6500

Loris Gies: PO Box 4322
Olympia, WA 98504-4322
(360) 902-5161
After July 1, 2005:
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Purpose

This Provider Bulletin updates coverage and payment policies for interpretive services as required in WACs 296-20-02700 and 296-23-165. **This bulletin replaces Provider Bulletin's 03-01, 03-10 and 05-01.** The purpose of this bulletin is to notify providers and insurers of the following changes:

- Revised coverage and payment policy.
- Interpretive services provider qualifications.
- Revised interpretive services codes and descriptions.
- New fees for interpretive services.
- Limits on interpretive services.
- Verification of interpretive services requirement.

Interpretive Services for Healthcare and Vocational Services

This policy applies to interpretive services provided for healthcare and vocational services in all geographic locations to injured workers and crime victims (collectively referred to as “insured”) having limited English proficiency or sensory impairments; and receiving benefits from the following insurers:

- The State Fund (L&I),
- Self-Insured Employers or
- The Crime Victims Compensation Program.

This coverage and payment policy including new fees, codes, service descriptions, limits and provider qualification standards is effective on and after July 1, 2005.

Policy Does Not Apply to Interpretive Services for Legal Purposes

This coverage and payment policy does not apply to interpretive services for injured workers or crime victims for legal purposes, including but not limited to:

- Attorney appointments.
- Legal conferences.
- Testimony at the Board of Industrial Insurance Appeals or any court.
- Depositions at any level.

Payment in these circumstances is the responsibility of the attorney or other requesting party(s).

Why Are Interpretive Services Covered?

The United States Department of Health and Human Services Office of Civil Rights concluded that inadequate interpretation for patients with Limited English Proficiency is a form of prohibited discrimination on the basis of national origin under Title VI of the Civil Rights Act of 1964. More information about the Civil Rights Act is available on the web at <http://www.hhs.gov/ocr/lep/>.

The Washington Workers’ compensation law under RCW 51.04.030 (1) requires the provision of prompt and efficient care for injured workers without discrimination or favoritism. Therefore, interpretive services are covered so injured workers who have limited English proficiency or sensory impairments may receive prompt and efficient care.

Information for Healthcare and Vocational Providers

Insured individuals with limited English proficiency or sensory impairments may need interpretive services in order to effectively communicate with you. Interpretive services do not require prior authorization.

Under the Civil Rights Act, as the healthcare or vocational provider, **you** determine whether effective communication is occurring. If assistance is needed, then **you**:

- Select an interpreter to facilitate communication between you and the insured.
- Determine if an interpreter (whether paid or unpaid) accompanying the insured meets your communication needs.
- May involve the insured in the interpreter selection. **NOTE: Under the Civil Right Act, hearing impaired persons have the right to participate in the interpreter selection.**
- Should be sensitive to the insured’s cultural background and gender when selecting an interpreter.

You may also want to refer to information at <http://www.phyins.com/pi/risk/faq.html> regarding use of interpretive services.

Either paid or non-paid interpreters may assist with communications. In all cases, the paid interpreter must meet the credentialing standards contained in this policy. **Persons identified as ineligible to provide services in this policy may not be used even if they are unpaid.** Please review the “Policy Changes for Interpretive Services Provider Standards” section of this bulletin for more information. **NOTE: Persons under the age of eighteen (18) may not interpret for injured workers or crime victims.**

For paid interpreters, you or your staff will be asked to verify services on either the L&I “Interpretive Services Appointment Record” or a similar provider’s verification form. The form will be presented by the interpreter at the end of each appointment. You will be asked to verify a scheduled appointment if the worker fails to keep the appointment so the interpreter may be paid for mileage. You should also note in your records that an interpreter was used at the appointment.

When a procedure requires informed consent, a credentialed interpreter should help you explain the information.

How to Find an Interpretive Services Provider

By July 2005, you can find an L&I interpreter provider on our website. Searches are available by interpreter name, language and/or geographic area at <http://www.LNI.wa.gov/ClaimsIns/Providers/Billing/default.asp>.

Interpretive Services Provider Qualifications Policy

Obtaining an Interpretive Services Provider Account Number

All providers sending bills to the State Fund, Self-insured employers or Crime Victims Program (insurers) must have a provider account number with L&I. **Self-insurers do not have separate provider account systems. Self-insurers may verify a provider’s account status with L&I.**

As of March 2003, every interpreter, billing an insurer for services, is required to obtain an individual provider account number(s). This includes interpreters and translators who are associated with interpretive service agencies, healthcare clinics, hospitals and other group providers. An individual provider may designate payment to a group provider account.

To obtain a provider account number, interpreters or translators must submit a provider account application and verification of their credentials to one or both of the insurers listed below. Credentials must verify the provider’s fluency in English and the other language(s) for which they provide interpretive services.

Provider Bulletin 05-01 (January 2005) notified current interpretive services providers of these changes to provider qualifications and actions needed to maintain their provider account. Current interpretive service providers, who have not yet done so, should submit proof of their credentials to the insurers **by June 15, 2005.**

Provider account application forms are available on the department’s website www.LNI.wa.gov/Forms/pdf/248011a0.pdf or by contacting the insurer(s) as listed below:

Workers’ Compensation

Department of Labor and Industries
Provider Accounts
PO Box 44261 Olympia, WA 98504-4261
360-902-5140, 1-800-848-0811
FAX 360-902-4484

Crime Victims Program

Department of Labor and Industries
Crime Victims Provider Accounts
PO Box 44520 Olympia, WA 98504-4520
360-902-5377, 1-800-762-3716
FAX 360-902-5333

Current and prospective interpretive service providers may submit credentials at any time after June 15, 2005. However, after July 1, 2005, the insurer(s) will not make payments to current or new interpretive services providers unless they have supplied credentials to L&I.

Separate copies of credentials must be submitted to the Workers' Compensation and/or Crime Victims Program, by copying the "Submission of Provider Credentials" form (F245-055-000) in this bulletin or on the department's website noted above; **then:**

- Completing the provider name, provider number, phone number(s) and group number information for **each provider number**; and
- Indicating the language(s) and geographic area(s) availability information; and
- Attaching copies of credentials to **each submission form**; then
- Mailing or FAXing to the appropriate L&I provider accounts section above.

All Providers Must Comply with State and Federal Laws

All L&I providers must comply with all applicable state and/or federal licensing or certification requirements to assure the department of the provider's qualifications to perform services. This includes state or federal laws pertaining to business licenses as they apply to the specific provider's practice or business.

Credentials Required for L&I Interpretive Services Providers

Interpreters and translators are required to have at least one of the following credentials in good standing in order to hold an L&I or Crime Victims Program provider account number for interpretive services:

Certified Interpreter

Agency or Organization	Credential
Washington State Department of Social and Health Services (DSHS)	Social or Medical Certificate Provisional Certificate
Washington State Administrative Office for the Courts (AOC)	Certificate
RID-NAD National Interpreter Certification (NIC)	Certified Advanced (Level 2) Certified Expert (Level 3)
Registry of Interpreters for the Deaf (RID)	Comprehensive Skills Certificate (CSC) Master Comprehensive Skills Certificate (MCSC) Certified Deaf Interpreter (CDI) Specialist Certificate: Legal (SC:L) Certificate of Interpretation and Certificate of Transliteration (CI/CT)
National Association for the Deaf (NAD)	Level 4 Level 5
Federal Court Interpreter Certification test (FCICE)	Certificate
US State Department Office of Language Services (USSD)	Verification letter or Certificate

Qualified Interpreter

Agency or Organization	Credential
Translators and Interpreters Guild (TIG)	Certificate
Washington State Department of Social and Health Services (DSHS)	Letter of authorization as qualified social and/or medical services interpreter including provisional authorization
Federal Court Interpreter Certification (FCICE)	Letter of designation or authorization

Certified Translator

Agency or Organization	Credential
Washington State Department of Social and Health Services (DSHS)	Translator Certificate
Translators and Interpreters Guild (TIG)	Certificate
American Translators Association (ATA)	Certificate

Qualified Translator

Agency or Organization	Credential
A state or federal agency; A state or federal court system; Other organization including language agencies; and/or An accredited academic institution of higher education.	Certificate or other verification showing: Successful completion of an examination or test of written language fluency in both English and in the other tested language(s); and A minimum of two years experience in document translation.

Credentials from Other Organization or States

Interpreters and translators located outside of Washington State must submit credentials from their state Medicaid programs, state or national court systems or other nationally recognized programs. **For interpreters from any geographic area**, credentials submitted from agencies or organizations other than those listed above, may be accepted if the testing criteria can be verified as meeting the minimum standards listed below:

Interpreter test(s) consists of, <u>at minimum</u>:	Translator test consists of, <u>at minimum</u>:
A written test in English; and	A written test in English and in the other language(s) tested; or
A verbal test of sight translation in both English and other tested language(s); and	A written test and work samples demonstrating the ability to accurately translate from one specific source language to another specific target language.
A verbal test of consecutive interpretation in both languages; and	
For those providing services in a legal setting, a verbal test of simultaneous interpretation in both languages.	

Maintaining Credentials

Interpretive services providers are responsible for maintaining their credentials as required by the credentialing agency or organization. Should the interpretive services provider's credentials expire or be removed for cause or any other reason, the provider must immediately notify the insurer(s).

Credentialed Employees of Healthcare or Vocational Providers Must Have Their Own Interpretive Services Provider Number to Receive Payment

Employees of healthcare or vocational providers may be paid for interpretive services if:

- Their sole responsibility is to assist patients or clients with language or sensory limitations; **and**
- They are credentialed interpreters or translators; **and**
- They have a provider number with the insurer as an interpretive services provider.

Interpreters/Translators Not Eligible for Payment

Other persons may on occasion assist the injured worker or crime victim with language or communication limitations. These persons do not require a provider number, but also **will not be paid** for interpretive services.

These persons may include but are not limited to:

- Family members.
- Friends or acquaintances.

- The healthcare or vocational provider.
- Employee(s) of the healthcare or vocational provider whose primary job **is not** interpretation.
- Employee(s) of the healthcare or vocational provider whose primary job is interpretation but who is not a credentialed interpreter.

Persons Ineligible to Provide Interpretation/Translation Services

Some persons may not provide interpretation or translation services for injured workers or crime victims during healthcare or vocational services delivered for their claim. These persons are:

- The worker's or crime victim's legal or lay representative or employees of the legal or lay representative.
- The employer's legal or lay representative or employees of the employer's legal or lay representative.
- Persons under the age of eighteen (18). **NOTE: Injured workers or crime victims using children for interpretation purposes should be advised they need to have an adult provide these services.**

Persons Ineligible to Provide Interpretation/Translation Services at IME's

Under WAC 296-23-362 (3), "The worker may not bring an interpreter to the examination. If interpretive services are needed, the department or self-insurer will provide an interpreter." Therefore, at Independent Medical Examinations (IME), persons (including approved interpreter/translator providers) who may **not** provide interpretation or translation services for injured workers or crime victims are:

- Those related to the injured worker or crime victim.
- Those with an existing personal relationship with the injured worker or crime victim.
- The worker's or crime victim's legal or lay representative or their employees.
- The employer's legal or lay representative or their employees.
- Any person who could not be an impartial and independent witness.
- Persons under the age of eighteen (18).

Hospitals and Other Facilities May Have Additional Requirements

Hospitals, free-standing surgery and emergency centers, nursing homes and other facilities may have additional requirements for persons providing services within the facility. For example, a facility may require all persons delivering services to have a criminal background check, even if the provider is not a contractor or employee of the facility. The facility is responsible for notifying the interpretive services provider of their additional requirements and managing compliance with the facilities' requirements.

Fees, Codes and Limits

Why Is the Department Restructuring Fees and Codes?

A recent coverage and payment policy review showed the department's coding structure was not in line with interpreters' usual business practices. Therefore, the department decided the use of a single code for all payable services would work better for everyone. However, the department wanted to identify group services. So now there are two comprehensive codes for interpretive services—one for use with an *individual* client and one for use with multiple clients (*group*) at the **same** appointment.

In addition, the project's fee research showed the department was paying more than most other Washington State payers, who are paying between \$30 and \$50 per hour. The new coding structure includes all services; some of which the department had paid previously paid at \$30 per hour. The fee reduction takes into account the increased billing at full rate for all covered service time.

By law, the department has a responsibility to control benefits costs for the employers and injured workers who pay the workers' compensation insurance premiums.

Why Can't L&I Pay Interpreters a Minimum Fee?

Only services which are actually delivered to injured workers can be paid. With a minimum fee, the insurer might make part of the payment for undelivered services. This would violate the department's responsibility to employers and injured workers who pay the industrial insurance premiums.

Further, under WAC 296-20-010(5) the insurer can pay only for missed insurer arranged IME appointments. If there was a minimum interpretive services fee, the insurer might pay for missed appointments arranged by healthcare or vocational providers or by the insured. This would conflict with the WAC. **However, mileage is payable for missed and/or IME no show appointments since the mileage service was an incurred prior to the missed appointment.**

Some Services Don't Require Prior Authorization

Direct interpretive services (either group or individual) and mileage do not require prior authorization on open claims. Providers can check claim status with the insurer prior to service delivery.

Services prior to claim allowance are not payable except for the initial visit. If the claim is later allowed, the insurer will determine which services rendered prior to claim allowance are payable.

Only services to assist in completing the reopening application and for an insurer requested IME are payable unless or until a decision to reopen is made. If the claim is reopened, the insurer will determine which other services are payable.

Services at Insurer Request and/or Requiring Prior Authorization

IME Interpretation Services

When an IME is needed, the insurer will schedule the interpretive services. Prior authorization is not required. The insured may ask the insurer to use a specific interpreter. However, only the interpreter scheduled by the insurer will be paid. Interpreters who accompany the insured, without insurer approval, will not be paid nor allowed to interpret at the IME.

IME No Shows

For State Fund claims, authorization must be obtained prior to payment for an IME no show. For State Fund claims contact the Central Scheduling Unit supervisor at 206-515-2799 after occurrence of IME no show. Per WAC 296-20-010 (5) "No fee is payable for missed appointments unless the appointment is for an examination arranged by the department or self-insurer."

Document Translation

Document translation services are only paid when performed at the request of the insurer. Services will be authorized before the request packet is sent to the translator.

Fees, Codes, Service Descriptions and Limits

The hourly fee for direct interpretive services (either group or individual) is being adjusted from \$60 per hour to \$48 per hour. The IME no show fee is a flat fee of \$48. The mileage rate increased January 1, 2005 to 40.5¢ per mile (the state employee reimbursement rate). Document translation fee is now by report.

Limits in the L&I bill processing system will automatically deny services exceeding the maximum limit on a specific code or combination of codes. The following fees, service descriptions and limits on services apply **to services on and after July 1, 2005:**

Code	Description	How to Bill	Maximum Fee	L&I Code Limits
9988M	Group interpretation direct services time between two or more client(s) and healthcare or vocational provider, includes wait and form completion time, time divided between all clients participating in group, per minute	1 minute equals 1 unit of service	\$0.80 per minute	Limited to 480 minutes per day. Does not require prior authorization.
9989M	Individual interpretation direct services time between one insured client and healthcare or vocational provider, includes wait and form completion time, per minute	1 minute equals 1 unit of service	\$0.80 per minute	Limited to 480 minutes per day. Does not require prior authorization.
9986M	Mileage, per mile	1 mile equals 1 unit of service	State employee reimbursement rate (as of January 1, 2005 rate is 40.5¢ per mile)	Does not require prior authorization. Mileage billed over 200 miles per claim per day will be reviewed.
9996M	Interpreter “IME no show” wait time when insured does not attend the insurer requested IME, flat fee	Bill 1 unit only	Flat fee \$48	Payment requires prior authorization-Contact Central Scheduling Unit after no show occurs. Contact number: 206-515-2799. Only 1 no show per claimant per day.
9997M	Document translation at insurer request	1 page equals 1 unit of service	BR	Requires prior authorization, which will be on translation request packet. Services over \$500 per claim will be reviewed.

Covered and Non-covered Services

Covered Services

The following interpretive services are covered. When billed, payment is dependent upon service limits and department policy. Interpretive services providers may bill the insurer for:

- Interpretive services which facilitate communication between the insured and a healthcare or vocational provider.
- Time spent waiting for an appointment that does not begin at time scheduled (when no other billable services are being delivered during the wait time).
- Assisting the insured to complete forms required by the insurer and/or healthcare or vocational provider.
- A flat fee for an insurer requested IME appointment when the insured does not attend.
- Translating document(s) at the insurer’s request.
- Miles driven from a point of origin to a destination point and return.

Non-covered Services

The following services are not covered and may not be billed to nor will they be paid by the insurer:

- Services provided for a denied or closed claim (except services associated with the initial visit for an injury or crime victim or the visit for insured’s application to reopen a claim).
- Missed appointment for any service other than an insurer requested IME.
- Personal assistance on behalf of the insured such as scheduling appointments, translating correspondence or making phone calls.
- Document translation requested by anyone other than the insurer, including the insured.
- Services provided for communication between the insured and an attorney or lay worker legal representative.
- Services provided for communication not related to the insured’s communications with healthcare or vocational providers.
- Travel time and travel related expenses, such as meals, parking, lodging, etc.
- Overhead costs, such as phone calls, photocopying and preparation of bills.

Billing Requirements for Interpretive Services

Interpretive services providers use the miscellaneous bill form and billing instructions. These forms and instructions are available upon request from the Provider Hotline at 1-800-848-0811 or in Olympia at 360-902-6500. The Medical Aid Rules and Fee Schedules (MARFS) billing information is available online on the department's website at <http://www.LNI.wa.gov/ClaimsIns/Providers/Billing/FeeSched/2004/2004.asp>.

Billing for Direct Services

Individual interpretation services

Services delivered for a single client include interpretation performed with the insured and a healthcare or vocational provider, form completion and wait time. Only the time spent actually delivering these services may be billed. Time is counted from when the appointment is scheduled to begin or when the interpreter arrives, whichever is later; to when the services ended. If breaks in service occur due to travel between places of service delivery, this time must be deducted from the total time billed. See the Billing Examples for further information.

Group interpretation services

When interpretive services are delivered for more than one person (regardless of whether all are injured workers and/or crime victims), the time spent must be pro-rated between the participants. For example, if 3 persons are receiving a one hour group physical therapy session at different stations and the interpretive services provider is assisting the physical therapist with all 3 persons, the interpretive services provider must bill only 20 minutes per person. The time is counted from when the appointment is scheduled to begin or when the interpreter arrives, whichever is later; to when the services end. See the Billing Examples for further information.

At the department, the combined total of both individual and group services is limited to 480 minutes (8 hours) per day. Time billed over this daily limit will be denied.

Billing for IME No Show

Per WAC 296.20.010 (5) only services related to no shows for insurer requested IME's will be paid. The insurer will pay a flat fee for an IME no show. Mileage to and from the appointment will also be paid.

Billing for Mileage and Travel

Insurers will not pay interpretive service providers for travel time or travel expenses such as hotel, meals, parking, etc. Interpretive service providers may bill for actual miles driven to perform interpretive services for an individual client or group of clients. When mileage is for services to more than one person (regardless of whether all are injured workers and/or crime victims), the mileage must be pro-rated between all the persons served. Mileage between appointments on the same day should be split between the clients. Mileage is payable for missed or no show appointments. See the Billing Examples for further information. **At the department, mileage over 200 miles per day will be reviewed for necessity, such as rare language and/or remote location.**

Document Translation Services

Document translation is an insurer generated service. Payment will be made only if the translation was requested by the insurer. If anyone other than the insurer requests document translation, the insurer must be contacted before services can be delivered. **At the department, document translation over \$500 will be reviewed by the insured's claim manager.**

Usual and Customary Charges Billed to the Insurer

All providers must bill their usual and customary fees when submitting bills to the insurer for services provided to injured workers or crime victims. The insurer will pay the lesser of the usual and customary charges or the department's fee schedule maximum (see WAC 296-20-010(2)).

Submitting Bills

The department programs and Self-insured employers have different billing mechanisms. Providers should contact the self-insured employer directly with any questions regarding billing procedures on a self-insured claim. Providers may send bills electronically or on paper forms depending on the insurer billed.

Electronic Billing

For State Fund claims, electronic billing reduces the time for bill processing and payment. To use electronic billing, providers must submit an “Electronic Billing Authorization” form (F248-031-000) to the **State Fund’s** electronic billing unit. Forms are available online at <http://www.LNI.wa.gov/ClaimsIns/Providers/Billing/BillLNI/Electronic/default.asp>. This form can also be ordered from the department’s warehouse (see information below). Providers interested in electronic billing can obtain more information by contacting:

Electronic Billing Unit
Department of Labor and Industries
PO Box 44263
Olympia WA 98504-4263
360-902-6511

The **Crime Victims Program** does not have electronic billing available.

Paper Billing

State fund and self-insurers accept bills on the green “Statement for Miscellaneous Services” form. These are available as single sheets (F245-072-000) or continuous form (F245-072-001). The **Crime Victims Program** accepts bills on the pink “Statement for Crime Victim Misc Svces” form (F800-076-000). All of these forms can be obtained from any L&I field office, downloaded at <http://www.LNI.wa.gov/ClaimsIns/Providers/FormPub/Forms/default.asp> or ordered from the warehouse at:

Warehouse
Department of Labor and Industries
PO Box 44843
Olympia WA 98504-4843

When requesting forms, please indicate the form number and quantity needed.

How Do Providers Send Bills to the Insurer(s)?

Completed paper bills should be sent to:

State Fund

Department of Labor and Industries
PO Box 44269
Olympia WA 98504-4269
360-902-6500
1-800-848-0811

Self-insurer

Varies –To determine insurer call 360-902-6901 OR See Self-insurer list at <http://www.LNI.wa.gov/ClaimsIns/Providers/billing/billSIEmp/default.asp>

Crime Victims Program

Department of Labor and Industries
PO Box 44520
Olympia WA 98504-4520
360-902-5377
1-800-762-3716

Billing Examples

Example # 1-- Individual Interpretive Services

Example Scenario	Time Frames	Type of Service	Code and units to Bill
Interpreter drives 8 miles from his place of business to the location of an appointment for an insured.	Not applicable	Mileage	Bill 8 units of 9986M
Insured has an 8:45 AM appointment. The interpreter and insured enter the exam room at 9:00 AM. The exam takes 20 minutes. The healthcare provider leaves the room for 5 minutes and returns with a prescription and an order for x-rays for the insured. The appointment ends at 9:30 AM.	8:45 AM To 9:30 AM	Individual interpretive services	Bill 45 units of 9989M
Interpreter drives 4 miles to x-ray service provider	Not applicable	Mileage	Bill 4 units of 9986M
Interpreter and insured arrive at the radiology facility at 9:45 AM and wait 15 minutes for x-rays, which takes 15 minutes. They wait 10 minutes to verify x-rays are okay.	9:45 AM to 10:25 AM	Individual interpretive services	Bill 40 units of 9989M
Interpreter drives 2 miles to pharmacy and meets insured.	Not applicable	Mileage	Bill 2 units of 9986M
The insured and the interpreter arrive at the pharmacy at 10:35 AM and wait 15 minutes at the pharmacy for prescription. The interpreter explains the directions to the insured which takes 10 minutes.	10:35 AM To 11 AM	Individual interpretive services	Bill 25 units of 9989M
After completing the services, the interpreter drives 10 miles to the next interpretive services appointment. The interpreter splits the mileage between the insured and the next client if this is not the last appointment of the day. (10 divided by 2 =5).	Not applicable	Mileage	Bill 5 units of 9986M
Total billable services for the above interpretive services.	Individual Interpretive Services Mileage		110 units 9989M 19 units 9986M

Example #2 --Group Interpretive Services

Example Scenario	Time Frames	Type of Service	Code and units to Bill
Interpreter drives 9 miles from his place of business to the location of an appointment for three clients-two insured by state fund and another client. (9 divided by 3=3).	Not applicable	Mileage	Bill 3 units of 9986M to each state fund claim
The three clients begin a physical therapy appointment at 9 AM. The interpreter circulates between the three clients during the appointment which ends at 10 AM.	9 AM to 10 AM	Group interpretive Services	Bill 20 units of 9988M to each state fund claim
After completing appointment the interpreter drives 12 miles to next appointment location. The interpreter splits the mileage between the three clients and the next client if this was not the last appointment of the day. (12 divided by 2 =6; 6 divided by 3 = 2). If it is the last appointment of the day, the interpreter splits the total mileage by 3 (12 divided by 3 =4).	Not applicable	Mileage	Bill 2 units of 9986M to each state fund claim
Total billable services for the above interpretive services.	Group Interpretive Services Mileage Billed to EACH state fund claim		20 units 9988M 5 units 9986M

Documentation Requirements for Interpretive Services

Documentation for Interpretation Services

Direct interpretive services are documented on either the new L&I “Interpretive Services Appointment Record” form F245-056-000 **OR** the interpretive services provider’s or language agency’s encounter form. The L&I form is in this bulletin. The form can also be ordered from the L&I warehouse or downloaded at <http://www.LNI.wa.gov/ClaimsIns/Providers/FormPub/Forms/default.asp>.

Provider or language agency encounter forms used in lieu of the department form **must** have the following information:

- Claim number, claimant full name and date of injury in upper right hand corner of form.
- Interpreter name and agency name (if applicable).
- Encounter (appointment) information including:
 - Healthcare or vocational provider name
 - Appointment address (location)
 - Appointment date
 - Appointment start time
 - Interpreter arrival time
 - Appointment completion time
 - If a group appointment, total number of clients (not including healthcare or vocational providers) participating in the group appointment.
- Mileage Information including:
 - Miles from starting location (include street address) to appointment
 - Miles from appointment to next appointment or return to starting location (include street address)
 - Total miles
- Verification of appointment by healthcare or vocational provider
 - Printed name and signature of person verifying services
 - Date signed
 - **NOTE: The provider’s encounter form must be signed by the healthcare or vocational provider or their staff to verify services including mileage for missed or IME no show appointments.**

Documentation for Translation Services

Documentation for translation services must include:

- Date of Service
- Description of document translated (letter, order and notice, medical records)
- Total number of pages translated
- Total words translated
- Target and Source Languages

Documentation Sent Separately from Bills

Do not staple documentation to bill forms. Send documentation separately from bills to:

State Fund

Department of Labor and Industries
PO Box 44291 Olympia, WA 98504-4291
360-902-6500, 1-800-848-0811
FAX 360-902-5445

Crime Victims Program

Department of Labor and Industries
PO Box 44520 Olympia, WA 98504-4520
360-902-5377, 1-800-762-3716
FAX 360-902-5333

How can Providers Request Reconsideration for Denied Charges?

For State Fund and Crime Victims Program claims, requests for reconsideration of denied or reduced charges are submitted on a “Provider’s Request for Adjustment” form F245-183-000. Attach required documentation for the service(s) and an explanation for why the charges should be paid. The adjustment request form is available online at <http://www.LNI.wa.gov/ClaimsIns/Providers/Billing/BillLNI/PayAdjust/default.asp> or at the department’s warehouse.

For self-insured claims, providers request reconsideration of denied or reduced charges from the specific self-insurer. If the provider cannot resolve the issue with the self-insurer, the provider can contact the L&I Self-Insured Section at 360-902-6901.

Authority to Review Health Services Providers

Under WAC 296-20-02010, the department has the authority to review charges and the records supporting such charges when the services are billed to the department.

Why Does the Department Review Provider Records?

The department reviews providers’ patient and billing related records to make sure workers and crime victims are receiving proper and necessary care as well as to make sure providers comply with the department’s medical aid rules, fee schedules and coverage and payment policies.

Can the Department Request Records from a Provider?

The department has the authority to request copies of a provider’s patient and billing related records. When the department requests records, they must be received by the department within 30 days of the provider’s receipt of the request. All records must be legible.

Can the Department Discipline a Provider?

The department can take corrective action against a provider(s). If a provider fails to comply with any order, rule, or policy, the department can ask for a refund of payments, assess penalties, or take other disciplinary action. See WAC 296-20-015.

Laws (RCW) and agency rules (WAC) can be found online at <http://www1.leg.wa.gov/LawsAndAgencyRules/>.

Standards for Interpretive Services Provider Conduct

Expectations for Quality Services

The department is responsible for assuring injured workers and crime victims receive proper and necessary services. The following requirements set forth the insurer’s expectations for quality interpretive services:

Accuracy and Completeness

- Interpreters always communicate the source language message in a thorough and accurate manner.
- Interpreters do not change, omit or add information during the interpretation assignment, even if asked by the insured or another party.
- Interpreters do not filter communications, advocate, mediate, speak on behalf of any party or in any way interfere with the right of individuals to make their own decisions.
- Interpreters give consideration to linguistic differences in the source and target languages and preserve the tone and spirit of the source language.

Confidentiality

The interpreter must not discuss any information about an interpretation job without specific permission of all parties or unless required by law. This includes content of the assignment such as:

- Time or place.
- Identity of persons involved.
- Content of discussions.
- Purpose of appointment.

Impartiality

- The interpreter must not discuss, counsel, refer, advise, or give personal opinions or reactions to any party.
- The interpreter must turn down the assignment if he or she has a vested interest in the outcome or when any situation, factor or belief exists that represents a real or potential conflict of interest.

Competency

Interpreters must meet the department's credentialing standards and be:

- Fluent in English.
- Fluent in the insured's language.
- Fluent in medical terminology in both languages.
- Willing to decline assignments requiring knowledge or skills beyond their competence.

Maintenance of Role Boundaries

- Interpreters must not engage in any other activities that may be thought of as a service other than interpreting.

Responsibilities toward the Insured and the Healthcare or Vocational Provider

The interpreter must ensure that all parties understand the interpreter's role and obligations. The interpreter must:

- Inform all parties that everything said during the appointment will be interpreted and they should not say anything they don't want interpreted.
- Inform all parties the interpreter will respect the confidentiality of the insured.
- Inform all parties the interpreter is required to remain neutral.
- Disclose any relationship to any party that may influence or someone could perceive to influence the interpreter's impartiality.
- Accurately and completely represent their credentials, training and experience to all parties.

Prohibited Conduct

In addition, interpreters **cannot**:

- Market their services to injured workers or crime victims.
- Arrange appointments in order to create business.
- Contact the insured other than at the request of the insurer or healthcare or vocational provider.
- Provide transportation for the insured to or from healthcare or vocational appointments.
- Require the insured to use your interpreter services exclusive of other approved L&I interpreters.
- Accept any compensation for services provided to the insured individual from anyone other than the insurer.
- Bill for someone else's services with your individual (not language agency group) provider account number.

Working Tips for Interpretive Services Providers

Some things to keep in mind when working as an interpreter on workers' compensation or crime victims claims:

- Arrive on time.
- Always provide identification to the insured and provider.
- Introduce yourself to the insured and provider.
- Do not sit with the insured in waiting room areas, unless assisting them with form completion.
- Acknowledge language limitations when they arise and always ask for clarification.
- Do not give your home (non-business) telephone number to the insured or providers.

Help L&I Find Fraud and Abuse

L&I recently increased its efforts to detect and act on fraud and abuse throughout the workers' compensation program. Fraud and abuse costs the Washington State Workers' Compensation Program millions of dollars each year. Employers, workers, insurance carriers and consumers pay the cost of fraud in lost jobs and profit, lower wages and benefits and higher costs for services and insurance premiums.

L&I is looking for:

- Employers who don't pay premiums for their workers;
- Providers who bill inappropriately;
- Injured workers who file false claims and/or who are working and receiving time loss benefits;
- Construction contractors, who are not licensed, bonded or registered.

L&I asks all our customers to help us identify possible fraud or abuse. If you are concerned about possible workers' compensation fraud or abuse by anyone, please contact the department in one of these ways:

By Phone: Report a Fraud Hotline: 1-888-811-5974

On the web: <http://www.LNI.wa.gov/ClaimsIns/FraudComp/WCFraud/default.asp>

To one of the following L&I work groups:

Provider Review and Education Section	Labor & Industries Fraud Unit
MS 4322	MS 4276
Olympia WA 98504-4322	Olympia WA 98504-4276
Phone 360-902-6299	360-902-5360 or
FAX 360-902-4249	ProviderFraud@lni.wa.gov

Information Resources

L&I List Serv

The Department of Labor and Industries now has a listserv available. Persons on the listserv receive information about policy and fee changes, publications and upcoming L&I sponsored provider education events.

To sign up for the listserv, go to <http://www.LNI.wa.gov/Main/Listservs/LNIINews.asp>.

Community Colleges

Some community colleges offer courses in medical terminology, interpretation and other related subjects. Check your local area for availability.

Interpreter Organizations

Several interpreter and translator professional organizations have information and educational opportunities for interpretive services providers. Their websites are listed below. This list is neither comprehensive nor an endorsement of any of these organizations. It is provided for informational purposes.

Organization	Website	Phone
Northwest Translators and Interpreters Society	www.notisnet.org	206-382-5642
Society Of Medical Interpreters	www.sominet.org	206-729-2100
National Association of Judiciary Interpreters and Translators	www.najit.org	206-267-2300
Washington Interpreters and Translators Society	www.witsnet.org	206-382-5690
Washington State Registry of Interpreters for the Deaf	www.wsrid.com	No number listed
National Council on Interpreting in Healthcare	www.ncihc.org	FAX 707-541-0437

L&I Publications

L&I publishes several handbooks and pamphlets related to the Workers' Compensation and Crime Victims Program. Some of them are available in Spanish and other languages.

Provider related publications can be downloaded or ordered at
<http://www.LNI.wa.gov/ClaimsIns/Providers/FormPub/Pubs/default.asp>

Workers' compensation related publications can be downloaded or ordered at
<http://www.LNI.wa.gov/ClaimsIns/Claims/FormPub/Pubs/default.asp>

Crime Victims Program related publications can be downloaded or ordered at
<http://www.LNI.wa.gov/ClaimsIns/CrimeVictims/FormPub/default.asp>

Laws and Rules Relating to Interpretive Services

The following laws and rules contain relevant information for interpretive services providers and can be accessed at the Washington State Legislature's website <http://www1.leg.wa.gov/LawsAndAgencyRules/>. Links to these laws and rules are located at the L&I home page <http://www.LNI.wa.gov/>.

RCW Chapter 5.60	Witnesses—Competency
RCW 2.43.010	Right to Interpreter Services in Legal Proceedings
RCW 51.04.030 (1)	Medical Aid Rules
RCW 51.28.030	Medical Aid Fund
WAC 296-20-010	General Rules
WAC 296-20-01002	Definitions
WAC 296-20-015	Who may treat
WAC 296-20-02010	Review of Health Services Providers
WAC 296-20-022	Out of State Providers
WAC 296-20-02700	Medical Coverage Decisions
WAC 296-20-124	Rejected and Closed Claims
WAC 296-20-097	Reopenings
WAC 296-23-165(3)	Miscellaneous Services
WAC 296-23-362	May a worker bring someone with them to an Independent Medical Examination (IME)?
GR 11.1	Code of Conduct for Court Interpreters
RCW Chapter 5.60	Witnesses

Definitions

Department

The Department of Labor and Industries State Fund and Crime Victims Compensation programs.

Insurer

The Department of Labor and Industries State Fund, Self-insured employers or the Crime Victims Compensation Program.

Insured

Injured worker covered by the State Fund or a Self-insured employer or victim of crime covered by the Department of Labor and Industries Crime Victims Compensation Program.

Healthcare or Vocational Provider

The person or facility from whom the injured worker or crime victim receives healthcare or vocational services including but not limited to treatment, consultation, pharmacy, lab, physical therapy, hospital, radiology, or other ancillary services.

Interpretive Services Provider

Person(s) who provides verbal or sign language interpretation (interpreters) or written translation of documents (translators).

Certified or qualified interpreters or translators as defined in this policy may be issued provider numbers by the Department of Labor and Industries Workers' Compensation or Crime Victims Program. Persons requesting provider numbers must submit copies of their credentials to the applicable insurer's Provider Accounts Section.

Insured's Legal Representative

Attorneys and their employees and/or worker or crime victim lay representative(s) and their employees who have been designated by the worker or crime victim as their representative to the insurer on the workers' compensation or crime victims claim.

Employer's Legal Representative

Attorneys and their employees and/or employer's lay representative(s) and their employees who have been designated by the employer as their representative to the insurer on the employer's claims.

Independent Medical Examination (IME)

An examination arranged by the insurer to determine further action on the insured's claim.

Legal Setting

A legal setting includes a formal court action, board of industrial insurance hearing, deposition or other similar action.

Source Language

The language **from** which interpretation or translation is needed.

Target Language

The language **to** which interpretation or translation is needed.

Credentialing Resources

The following agencies and organizations offer certification or qualification testing. This list is neither comprehensive nor an endorsement of any of these agencies or organizations. It is provided for informational purposes.

Agency/Organization	Languages	Charges	When
WA Administrator of the Courts 1206 Quince Street SE P.O. Box 41170 Olympia, WA 98504-1170 (360) 705-5301 http://www.courts.wa.gov/programs_orgs/pos_interpret/	Spanish, Russian, Korean, Vietnamese, Cantonese, Khmer and Laotian	\$50 written \$125 oral	Yearly test
DSHS Language Testing & Certification PO Box 45820 Olympia WA 98504-5820 (360) 664-6038 http://www1.dshs.wa.gov/msa/LTC/index.html	8 certified 83 screening Medical certification Social certification	\$30 written \$45 oral \$50 translator	Monthly except December and January
Registry of Interpreters for the Deaf National Assoc of the Deaf NAD-RID National Interpreter Certification (NIC) c/o RID, Inc 333 Commerce Street Alexandria, VA 22314 1-800-736-9280 (FAX on Demand) 703-838-0030 http://www.rid.org/nic.html	American Sign Language NAD & RID Forming one joint test as of 2005	\$175 per test	Application 8 weeks prior to testing Multiple dates and test sites
Translators and Interpreters Guild 962 Wayne Avenue Suite 500 Silver Spring, MD 20910 1-800-992-0367 http://www.ttiq.org/	31 languages	\$120 per year	Must be member to obtain certification
US Court System CPS Human Resource Services Federal Court Interpreter Certification Program 241 Lathrop Way Sacramento, CA 95815 (916) 263-3494 http://www.cps.ca.gov/fcice-spanish/index.asp	Spanish, Navajo, Haitian- Creole (certified) Rest are qualified	\$125 written \$175 oral	1 year
U.S. Department of State Office of Language Services SA-1, 14TH Floor 2401 E Street N.W. Washington D.C. 20522 (703) 302-7125 http://www.state.gov/	All	Unknown Employment testing	Varies
American Translators Association 225 Reinekers Lane, Suite 590 Alexandria, VA 22314 (703) 683-6100 http://www.atanet.org	14 languages	\$160	Varies
National Association of Judiciary Interpreters and Translators 423 Morris Street Durham, NC 27702 (206) 267-2300 Seattle Number http://www.najit.org/WashDC/NAJITExam2005.pdf	Spanish only	\$125 members \$150 non- members	May 11-12, 2005 Washington, DC & other times based on need

SUBMISSION of PROVIDER CREDENTIALS for INTERPRETIVE SERVICES

USE a SEPARATE form for EACH program AND EACH provider number:

☐ **Workers' Compensation**

☐ **Crime Victims**

For Interpretive Services Providers

This form is submitted in addition to the Provider Account Application and W9 form. If you are applying for a provider number for BOTH the Workers' Compensation and Crime Victims Programs, you must send a separate copy of ALL forms AND your credentials to EACH program as they have separate provider account systems.

Provider number

Provider name

Provider phone (s)

Cell

Group provider number

For Workers' Compensation Return to:

Provider Accounts
Department of Labor and Industries
PO Box 44261
Olympia WA 98504-4261
360-902-5140
1-800-848-0811
FAX 360-902-4484

For Crime Victims Return to:

Crime Victim's Provider Accounts
Department of Labor and Industries
PO Box 44520
Olympia WA 98504-4520
360-902-5377
1-800-762-3716
FAX 360-902-5333

Mark all languages for which you provide interpreter services:

☐ Spanish
☐ French
☐ Italian
☐ German
☐ American Sign
Language

☐ Portuguese
☐ Mandarin Chinese
☐ Japanese
☐ Korean
☐ Cantonese Chinese

☐ Vietnamese
☐ Cambodian
☐ Russian
☐ Tagalog
☐ Laotian

List others _____

Mark all Washington state counties where you regularly provide services:

☐ Adams
☐ Asotin
☐ Benton
☐ Chelan
☐ Clallam
☐ Clark
☐ Columbia
☐ Cowlitz
☐ Douglas
☐ Ferry

☐ Franklin
☐ Garfield
☐ Grant
☐ Grays Harbor
☐ Island
☐ Jefferson
☐ King
☐ Kitsap
☐ Kittitas
☐ Klickitat

☐ Lewis
☐ Lincoln
☐ Mason
☐ Okanogan
☐ Pacific
☐ Pend Oreille
☐ Pierce
☐ San Juan
☐ Skagit
☐ Skamania

☐ Snohomish
☐ Spokane
☐ Stevens
☐ Thurston
☐ Wahkiakum
☐ Walla Walla
☐ Whatcom
☐ Whitman
☐ Yakima

Indicate out of state areas where you regularly provide services:

☐ Oregon

☐ Idaho

☐ California

List others _____

Instructions for Credential Submission Form

For Interpretive Services Providers, this form is submitted in addition to the Provider Account Application and W9 form. If you are applying for a provider number for BOTH the Workers' Compensation and Crime Victims Programs, you must send a separate copy of ALL forms AND your credentials to EACH program as they have separate provider account systems.

Please complete all information and mark the language(s) for which you hold credentials and the geographic area(s) where you regularly provide services.

Credentials required for L&I interpretive services provider number.

Certified Interpreter-Interpreter who holds credentials in good standing from one or more of the following:

Agency or Organization	Credential
Washington State Department of Social and Health Services (DSHS)	Social or Medical Certificate Provisional Certificate
Washington State Administrative Office for the Courts (AOC)	Certificate
RID-NAD National Interpreter Certification (NIC)	Certified Advanced (Level 2) Certified Expert (Level 3)
Registry of Interpreters for the Deaf (RID)	Comprehensive Skills Certificate (CSC) Master Comprehensive Skills Certificate (MCSC) Certified Deaf Interpreter (CDI) Specialist Certificate: Legal (SC:L) Certificate of Interpretation & Certificate of Transliteration (CI/CT)
National Association for the Deaf (NAD)	Level 4 Level 5
Federal Court Interpreter Certification test (FCICE)	Certificate
US State Department Office of Language Services	Verification letter or Certificate

Qualified Interpreter-Interpreter who holds credentials in good standing from one or more of the following:

Agency or Organization	Credential
Translators and Interpreters Guild	Certificate
Washington State Department of Social and Health Services (DSHS)	Letter of authorization as qualified social and/or medical services interpreter including provisional authorization
Federal Court Interpreter Certification (FCICE)	Letter of designation or authorization

Certified Translator-Translator who holds credentials in good standing from one or more of the following:

Agency or Organization	Credential
Washington State Department of Social and Health Services (DSHS)	Translator Certificate
Translators and Interpreters Guild	Certificate
American Translators Association	Certificate

Qualified Translator

Translator who has passed a written language fluency examination test in both English and in the other tested language(s.) The test must be administered by a state agency; a state or federal court system; other organization including language agencies; and/or an accredited academic institution of higher education. Translators must have a minimum of two years experience in document translation.

Credentials from other organization or states

Interpreters and translators located outside of Washington State must submit certification or qualification from their state Medicaid programs, state or national court systems or other nationally recognized programs. For interpreters from any geographic area, credentials submitted from agencies or organizations other than those listed above, may be accepted if the testing criteria can be verified as meeting the minimum standards listed below:

Interpreter test(s) consists of, <i>at minimum</i> :	Translator test consists of, <i>at minimum</i> :
A written test in English; and	A written test in English and in the other language(s) tested; or
A verbal test of sight translation in both English and other tested language(s); and	A written test and work samples demonstrating the ability to accurately translate from one specific source language to another specific target language.
A verbal test of consecutive interpretation in both languages; and	
For those providing services in a legal setting, a verbal test of simultaneous interpretation in both languages.	

INTERPRETIVE SERVICES APPOINTMENT RECORD

Use for worker's compensation or crime victims claims.

Send original to insurer. Interpreter: Keep photocopy for your records.

Date of injury

Claim Number

Claimant's phone #

Claimant's name (last, first, middle initial)

APPOINTMENT INFORMATION May be completed by Interpreter or Language Agency

Name of scheduled health care /vocational provider

Appointment date

Start time

Street address of health care /vocational provider

City

State

Type of appointment:
Please check below

Telephone number

()

Language requested

☐ Doctor☐ Vocational☐ PT or OT☐ Pharmacy☐ Hospital☐ Diagnostic☐ PCE☐ IME☐ Other

Comments

INTERPRETER INFORMATION Completed by Interpreter

Name of interpreter (last, first, middle initial)

Interpreter's Provider Number

Language agency's name, if applicable

Agency's Provider Number

Interpreter's travel starting address

City

State

Appointment address

City

State

Return or next appointment location

City

State

Mileage to
AppointmentMileage from
AppointmentInterpreter's
Total MileageGroup Service Information

If this was a group service, please indicate number of total persons served in the group and divide service time and mileage accordingly.

Indicate number of persons in group:

Interpreter's arrival time

Scheduled start time

Completion time

Total billable time
minutes

Date

By signing this document, I certify that I have provided the interpretive services indicated above.

Signature

INTERPRETER SERVICES VERIFICATION Completed by Health Care or Vocational Provider or their designee. Do not sign unless information above has been completed.

Comments

Send original to
insurer. Interpreter
keep photocopy for
your records.

Name of Person Verifying Services (Print)

Title

Date

Signature of Person Verifying Services

CLAIM INFORMATION (submit original to the insurer) Do not staple documentation to bill forms. Send documentation separately from bills to:

State Fund

Department of Labor and Industries
PO Box 44291
Olympia WA 98504-4291
360-902-6500
1-800-848-0811
FAX 360-902-5445

Crime Victims

Department of Labor and Industries
PO Box 44520
Olympia WA 98504-4520
360-902-5377
1-800-762-3716
FAX 360-902-5333

Self-insurer

Varies --Call 360-902-6901 to obtain Insurer's phone number & address
OR
See Self-insurer list at:
<http://www.lni.wa.gov/ClaimsIns/Providers/billing/billSIEmp/default.asp>

Index:OTH

Instructions for completing **Interpretive Services Appointment Record**

Submit original to the insurer.

Do not staple documentation to bill forms. Use the proper address on bottom of other side to send documentation.

Some Guidelines to complete form.

Claim Number: This is our tracking device. Please ensure the Claim Number of the client is accurate.

Name of scheduled provider: This may be a health care or vocational provider with whom client is scheduled.

Comments: Any special request information or other instructions.

Interpreter Provider Number: Enter the L&I state fund or Crime Victims assigned provider number for the interpreter.

Language Agency Provider number: Enter the L&I state fund or Crime Victims assigned provider number for the language agency.

Mileage to appointment: Calculate the miles from the origins of the trip to the destination.

Mileage from appointment: This is the return mileage.

Mileage must be split between ALL clients of a group and between clients if there are multiple appointments in one day. If services are delivered in multiple locations for same client, mileage is payable but not the travel time between locations. Only mileage is payable when clients no show at medical or vocational appointments.

Total billable time: Enter the total billable time (excluding travel time between appointments). Bill from the arrival time or scheduled start time-whichever is LATEST. Interpreter's TRAVEL time is NOT payable.

Group Services: If more than one person was served, please enter the information. Group service time must be divided between ALL clients in the group. After calculating the total mileage and billable time, divide by the total number of clients served in that appointment.

Comments: Please enter any additional information about the services or appointment as needed.

IMPORTANT: Health care or vocational provider or designated staff must sign to verify services.

Department of Labor and Industries
Health Services Analysis
PO Box 44322
Olympia WA 98504-4322

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